



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্রাপ্তি কর্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
BORDER PROTECTION AND DEVELOPMENT DEPARTMENT

NOTIFICATION

The 20th July, 2022

No.BPDD.42/2010/Pt/58.-In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is hereby pleased to make the following rules regulating the recruitment and other conditions of service of persons appointed under the Border Protection and Development Department Non-Ministerial Service (Recruitment and Condition of Service) Rules 2022, namely:-

Short title and Commencement

1. (1) These rules may be called the Border Protection and Development Department Non-Ministerial Service (Recruitment and Condition of Service) Rules 2022.
(2) They shall come into force on the date of their publication in the Official Gazette.

Definitions

2. In these rules, unless there is anything repugnant in the subject or context-
 - (a) "Appointing Authority" means the Governor of Assam in case of Research Assistant, Assistant Research Officer and Research Officer.
 - (b) "Commission" means the Assam Public Service Commission;
 - (c) "Committee" means the Selection Committee constituted under rule 10.
 - (d) "Governor" means the Governor of Assam;

- (e) "Government" means the Government of Assam;
- (f) "Constitution" means the Constitution of India;
- (g) "Service" means the service of the classes and cadres under the Assam Border Protection and Development Department Non-Ministerial Service (Recruitment and Condition of Service) Rules 2022.
- (h) "select list" means the list prepared under rule 6(d)
- (i) "year" means the calendar year:

Class and cadre

3. The service shall consist of the following classes and cadres:-

Grade-I	Research Officer
Grade-II	Assistant Research Officer
Grade-II	Research Assistant

Strength of service

4.(1) The Cadre strength in the service shall be such as may be determined by the Governor from time to time.

(2) The strength of the cadres of service on the commencement of these rules along with pay scale is shown in Schedule-I

(3) The post of the Research Officer belongs to Grade-I (Gazetted) service and Assistant Research Officer belongs to Grade-II (Gazetted) service and Research Assistant belongs to Grade-II (Non-Gazetted) Service:

Provided that the Governor may hold in abeyance any post as and when considered necessary.

Method of recruitment

5. The recruitment to the service of the Research Assistant shall be made through direct recruitment only. The recruitment of all other cadres in the service shall be made by promotion.

Direct Recruitment

6. The post to be recruited through direct recruitment shall be made by means of written examination to be conducted by the Commission in accordance with the scheme of selection prescribed in consultation with the Commission. Direct recruitment shall be made on the basis of recommendation made by the Commission in accordance with the procedure herein after provided namely:-

(a) Before the end of each year the Appointing Authority shall make an assessment regarding the likely number of vacancies to be filled up by direct recruitment during the next year and shall intimate the same to the Commission together with the details as follows, namely,-

(i) a copy of draft advertisement,

- (ii) the updated service rules, Executive order whose provisions are to be followed in the process of recruitment and to maintain transparency in the recruitment process, the service rules shall be uploaded in the website of the department for conducting examinations,
- (iii) essential educational qualifications and desirable qualifications as per these rules;
- (iv) experiences required, if any, as per these rules;
- (v) reservation of candidates shall be as per extant norms.
- (vi) There will be reservations for candidates belonging to EWS as per Govt. norms.
- (vii) pay-scale commensurate to the post (as per the latest ROP),

(b) The Appointing Authority shall simultaneously request the Commission to recommend a list of candidates for direct recruitment in order of preference.

(c) The commission shall make a selection in accordance with the scheme of selection prescribed by the Government. The Commission may hold such test or interview as per the syllabus of the examination as prescribed in Schedule II.

(d) The Commission shall furnish to the Appointing Authority a list of candidates recommended by it in order of preference, found suitable for direct recruitment. The number of candidates in such a list may be according to the actual number of vacancies.

(e) The list mentioned in clause (d) shall remain valid for 12 Calendar months from the date of recommendation. In the event of the Commission being unable to recommend sufficient number of candidates to fill all the vacancies in a year, it shall, in consultation with the Appointing Authority, repeat the procedure as mentioned herein before under sub-rules (a), (b), (c) &(d) of rule 6', for recommending a subsequent list in the year:

Provided that the Appointing Authority shall not make appointment of any candidates from the subsequent list until all the candidates of the year, eligible for appointment have offered appointment.

Academic Qualification

7. For the post of Research Assistant the candidate must be Graduate in Arts, Science or in Commerce from a Government recognized University with minimum 50% marks for unreserved category and 45% for reserved categories and other categories. Basic knowledge in Computer Application is mandatory.

Age

8. A candidate for direct recruitment to the post of Research Assistant shall not be less than 21 years and more than 38 years on the 1st day of year of advertisement with relaxation in case of special category like ST, SC as laid down by the Government in accordance with orders of the Government in force for the time being.

Physical fitness

9. A candidate for direct recruitment shall be,

- (i) of sound health, both mentally and physically and free from organic defect or bodily infirmity likely to interfere with the efficient performance of his duties, and
- (ii) required to undergo medical examination before appointment to the service.

Selection Committee

10. There shall be a Selection Committee consisting of the following Members for selection of candidates for promotion to the post of Assistant Research Officer and Research Officer.

(i)	Senior most Secretary to the Government of Assam. Border Protection and Development Department	Chairman
(ii)	Joint Secretary/ Deputy Secretary/ Under Secretary to the Government of Assam. Border Protection and Development Department	Member Secretary
(iii)	Director of Border Protection and Development Department	Member
(iv)	A representative of Personnel(B) Department not below the rank of Deputy Secretary	Member
(v)	A representative of WPT and BC Department not below the rank of Deputy Secretary	Member

Recruitment by promotion

11.(1) The Post of Assistant Research Officer shall be filled by way of promotion on the basis of seniority cum merit on the first day of January of the year in which the selection for promotion is made from amongst the eligible Research Assistant with minimum 5 (five) years of continuous service experience in the capacity of Research Assistant in the Directorate of Border Protection and Development, Assam.

(2) The post of Research Officer shall be filled up by way of promotion from amongst the eligible Assistant Research Officer with minimum 3 (three) years of continuous service experience in the capacity of Assistant Research Officer in the Directorate of Border Protection and Development, Assam on the basis of seniority cum merit on the first day of January of the year in which the selection for promotion is made.

General procedure for promotion 12.

- (1) Before the end of each year the appointing Authority shall make an assessment for the likely number of vacancies to be filled by promotion in the next year in each cadre.
- (2) The Appointing Authority shall then furnish to the Selection Committee the following documents and information with regard to as many officers in order of seniority as are eligible for promotion:-
 - (i) information about the number of vacancies;
 - (ii) list of officers in order of seniority cum merit (separate list for promotion to different cadres shall be furnished) indicating the cadre to which promotion is to be made;
 - (iii) character rolls and personnel files of the Officers listed;
 - (iv) details about reservation in case of promotion to the service and about carry forward of vacancies, and
 - (v) any other documents as may be considered necessary by the Appointing Authority.
- (3) The Appointing Authority shall simultaneously request the Committee to recommend within one month a list of Officers found suitable for promotion in order of preference, in respect of promotion to each of the cadre in which recruitment is to be made by *promotion*.
- (4) The Committee subject to the provisions of sub-rule(1) and (2) of rule 11 or after considering the service records shall recommend the name(s) of person(s) *found* suitable for promotion and prepare a list of Officers equal to the number of vacancies for promotion on the basis of seniority cum merit.
- (5) The Selection Committee shall examine the records of the Officers including maintenance of roster point register as per extant norms, ACR etc. and shall recommend candidates for promotion to next higher post.

Disqualification

13. No person shall be eligible for appointment to the service, if he/she:-
 - (a) Is not a citizen of India and
 - (b) has more than one living spouse.
 - (c) has more than two living children w.e.f 1st January, 2022.

Provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any person from the operation of this clause.

Reservation

14. In all cases of appointment by direct recruitment as well as by promotion there shall be reservation for the candidates belonging to the Scheduled Castes and Scheduled Tribes as per extant reservation policy. There shall also be reservation for candidate belonging to Other Backward Classes for direct recruitment only. Extant orders in respect of reservation in favour of the candidates belonging to other categories including Economically Weaker Section, Persons with Disabilities, Women, Ex-Servicemen etc. as may be in force for the time being shall also be applicable.
The roster register of posts shall be maintained as per extant norms prevalent in Government of Assam.

Joining time

15. A person shall join within 15 (fifteen) days from the date of receipt of the orders of appointment or promotion failing which the appointment shall be cancelled unless the Appointing Authority extends the period, which shall not in all, exceed 3 (three) months.

Seniority

16. The Seniority of a member in a cadre appointed by direct recruitment shall be determined according to the order of preference in the respective merit list recommended by the Commission under rule 6(d) and finally approved by the Appointing Authority in case of promotion, when he/she joins the appointment within 15 (fifteen) days from the date of receipt of the order or within the extended period as mention in rule 15:-
 - (a) If a member fails to join the appointment within initial 15 (fifteen) days of receipt of the order or within the extended period, but joins later, his seniority shall be determined in accordance with the date of joining.
 - (b) A member appointed by promotion in a year shall be senior to a member appointed by direct recruitment in the same year.

Probation and confirmation

17. (1) Subject to the availability of a permanent vacancy in the respective cadre, a member shall be placed, according to seniority on probation against the permanent vacancy for a period of two years before he/she is confirmed against the permanent vacancy.

Provided that the period of probation may for good and sufficient reasons be extended by the Appointing Authority for any specified period, not exceeding a period of two years:

Provided further that the period of probation may be curtailed or dispensed in any case for good and sufficient reasons by the Appointing Authority.

- (2) A member of the service on probation under sub-rule (1) shall be confirmed against the permanent vacancy subject to the following conditions:-
 - (a) He/ She has completed the period of probation to the satisfaction of the Appointing Authority in accordance with sub-rule (1).
 - (b) He has successfully undergone the training and passed the departmental examination, if any, prescribed by the Government.
- (3) If the confirmation of a member is delayed on account of his/her failure to qualify for such confirmation, he/she shall lose his position in order of seniority vis-a-vis such of his/ her junior as might be confirmed earlier than him/her. His/her seniority shall, however, be restored on his/her confirmation subsequently.

Gradation List

18. There shall be prepared and published every year a Gradation List containing the name of all member of the service cadre wise in order of seniority cum merit and such other particulars as date of birth, date of appointment, educational qualification, date of promotion on the present grade etc.

Pay

19. The appointment shall be made in the time scale of pay as may be prescribed by the Governor from time to time and at the commencement of these rules the scale of pay shall be as mentioned in Schedule I.

Relaxation

20. Where the Government is satisfied that the operation of these order causes undue hardship in any particular case, it may dispense with or relax the requirement of that order to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that the case of any person shall not be dealt with in any manner least favorable to him than that provided in these rules.

Other conditions
of Service

21. (i) Except as provided in these rules all matters relating to pay service and allowances, leave, discipline pension and other conditions of service shall be regulated by the general rules and orders of the Government, for the time being in force.

(ii) The conditions of service of the members, in respect of matter, for which no provision has been made in these rules shall be the same as, are for the time being, is applicable to other officers of the Government of corresponding statue and having similar function.

Interpretation

22. If any question arises relating to interpretation of these rules the decision of the Government shall be final.

Repeal and
savings

23. The rules corresponding to these rules and in force immediately before commencement of these rules, are hereby repealed:

Provided that all orders made or action taken under the rules so repealed or under any general ancillary thereto shall be deemed to have been validly made under the corresponding provisions of these rules.

Schedule I
(See Rule 4)

Sl. No.	Name of cadre	Strength of cadres	Pay band	Scale of Pay
1	2	3	4	5
1	Research Officer	2	PB-4	Rs. 30,000/- - RS. 1,10,000/- + Grade Pay Rs.13,300/-
2	Assistant Research Officer	2	PB-3	Rs.22,000/- -RS.97,000/-+Grade Pay Rs.11,800/-
3	Research Assistant	3	PB-3	Rs.22,000/- -RS.97,000/-+Grade Pay Rs.9,400/-
	Total	7		-

Schedule II
(See Rule 6)

1.	Marks of written examination=200,
	Paper I : General English : Marks=100
	Paper II : Marks=100[(General Knowledge=50,General Mathematics (HSLC Standard)=50)
2.	Viva/Voice=30
3.	Computer Test=20

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Border Protection and Development Department.